

REMARKS / ARGUMENTS

Claims 18-21, 25 and 33-41 are pending in the instant application. Claims 3 and 22-24 have been previously cancelled. Claims 1-2, 4-17, 26-32 and 42-49 have been withdrawn due to allegedly being directed to a non-elected invention. Claims 25, 38 and 41 have been cancelled in favor of the amendments to independent claims 18, 33, 36 and 39. The Applicant points out that the amendments to the above independent claims find support at least in Applicant's Figs. 6 and 9, and the related description in the specification. Claims 19-21, 25, 34-35, 37-38 and 40-41 depend directly or indirectly from independent claims 18, 33, 36 and 39, respectively.

Claims 18, 20, 21, 25 and 36-41 are rejected under 35 USC 103(a) as being unpatentable over USPP 2001/0037406 ("Philbrick"), in view of USPP 2002/0059451 ("Haviv") and USPP 2003/0046330 ("Hayes"). Claims 33-35, 30 are rejected under 35 USC 103(a) as being unpatentable over Philbrick in view of Microsoft Winsock Direct and Protocol Offload on SANs, 03/03/2001 ("Microsoft") and Hayes. Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Philbrick in view of Haviv and Hayes. The Applicant respectfully traverses these rejections, but submits that the rejections are now moot in view of the following.

I. Applicant's Interview with the Examiner on 1/6/2011

The Applicant had conducted a telephone interview with the Examiner on January 6, 2011 to discuss the proposed amendments to place the claims in condition for allowance. Subsequent to the phone interview, the Applicant had faxed to the Examiner the proposed amendments to independent claims 18, 33 and 36 for review. It is the Applicant's understandings that the Examiner was satisfied with the proposed amendments, and the Examiner had verbally expressed that that the proposed amendments reflected in the above claim listing, overcome the grounds of rejection based on the combination of Philbrick, Haviv and Hayes.

A. Independent Claims 18, 33, 36 and 39

The Applicant has amended independent claims 18, 33, 36 and 39, and submits that independent claims 18, 33, 36 and 39 are in condition for allowance based on at least the following reasons.

The combination of Philbrick Haviv and Hayes does not disclose or suggest having all L2/L4/L5 adapters within a single integrated convergent network controller (ICNC) chip, let alone discloses or suggests that "the single ICNC chip is operable to process the plurality of different types of network traffic for the plurality of servers, wherein the plurality of L2/L4/L5 different types of network traffic includes: network

traffic, storage traffic, interprocess communication (IPC) traffic and cluster traffic, which are transported via the single fabric,” as recited in Applicant’s claim 18.

Accordingly, Applicant’s claim 18 is submitted to be allowable. Likewise, independent claims 33, 36 and 39 are similar in many respects to claim 18, are also submitted to be allowable based on the same rationale of claim 18.

B. Dependent Claims 20-21, 34-35, 37 and 40

Based on at least the foregoing, the Applicant believes the rejection of independent claims 18, 33, 36 and 39 under 35 U.S.C. § 103(a) as being unpatentable by the combination of Philbrick, Haviv and Hayes has been overcome and requests that the rejection be withdrawn. Additionally, claims 20-21, 34-35, 37 and 40 depend directly or indirectly from independent claims 18, 36 and 39 and are, also respectfully submitted to be allowable. The Applicant also maintains the dependent claims arguments in the 9/20/2010 response.

The Applicant reserves the right to argue additional reasons beyond those set forth herein to support the allowability of claims 18-21, 33-37 and 39-40, should such a need arise.

CONCLUSION

Based on at least the foregoing, the Applicant believes that all pending claims 18-21, 33-37 and 39-40 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and requests that the Examiner telephone the undersigned Patent Agent at (312) 775-8093.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

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